



**THE HALL SCHOOL**

## **Whistleblowing Policy**

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**Policy Ratified by:** SLT

**Date of publication:** September 2020

**Date of next review:** September 2021

**Governor responsible for policy:** Victoria Bingham

This policy is available on the School website and can be made available in large print or other accessible format if required.

## Introduction

The staff and Governors of The Hall School seek to run all aspects of School business and activities with full regard to the highest standards of conduct and integrity. It is important to the School that any misconduct, wrongdoing or fraud by staff of the School is reported and properly dealt with.

In the event that members of School staff, agency workers and contractors, parents, Governors or the School community at large become aware of activities which give cause for concern, the procedure in this policy should be followed to allow concerns to be raised confidentially.

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge that they will be taken seriously. The School therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the School or the way in which School business is run.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels are available including information at [Gov.UK](https://www.gov.uk) and in the case where a member of staff does not feel they are able to raise concerns regarding child protection failures internally, the NSPCC whistleblowing helpline is available – 08000280285 – 8.00 am to 8.00 pm – Monday to Friday or email – [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

The provisions of this policy apply to matters of suspected fraud and impropriety and not of more general matters which would be dealt with under the School Grievance Procedure. The policy is also not designed to allow questioning of financial or business decisions taken by the School nor may it be used to reconsider any matters which have already been addressed under complaint or disciplinary procedures.

## Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above

is being, has been, or is likely to be, committed. It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The employee has no responsibility for investigating the matter - it is the School's responsibility to ensure that an investigation takes place.

An employee who makes such a protected disclosure has the right not to be dismissed or subjected to victimisation because he/she has made the disclosure.

The School encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether to raise a concern, he/she should discuss the issue with his/her line manager/Head of Department or Year, a member of the Senior Leadership Team or the Human Resources Manager.

Throughout this document the term line manager will be used for the person an individual reports to on a day-to-day basis, this includes a Head of Department or Year for teaching staff and an individual's immediate supervisor for support staff.

## Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the colleague who raised the issue.
- No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the School's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation or raising unfounded concerns will be taken seriously and may constitute a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, employees should not agree to remain silent. They should report the matter to a member of the Senior Leadership Team.

## Procedure

This procedure is for disclosure about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the School's Grievance Procedure.

1. Any concerns over suspected wrongdoing (disclosure) should initially be raised with the employee's line manager who will notify a member of the Senior Leadership Team (see Appendix 1).

If the employee believes his/her the line manager to be involved in the wrongdoing, or for any reason does not wish to approach the line manager, then the employee should notify a member of the Senior Leadership Team directly.

Any approach to the Senior Leadership Team will be treated with the strictest confidence and the employee's identity will not be disclosed without his/her prior consent.

2. The member of the Senior Leadership Team notified by either the line manager or the individual will arrange an investigation of the matter.

The investigation may involve the employee and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The employee's statement will be taken into account, and he/she will be asked to comment on any additional evidence obtained.

3. The person carrying out the investigation will then report to the Headmaster, Finance Director or Head of the Junior School, who will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

If disciplinary action is required, the Human Resources Manager will be informed and the disciplinary procedure followed.

4. On conclusion of any investigation, the employee will be told the outcome of the investigation and what the Headmaster, Head of the Junior School or Finance Director have done, or proposes to do, about it. If no action is to be taken, the reason for this decision will be explained.

A response detailing who has been notified of the disclosure and any action taken will be given within 7 days of the member of the Senior Leadership Team being made aware of the disclosure.

5. If the employee is concerned that his/her line manager has failed to inform a member of the Senior Leadership Team, he/she should inform a member of the Senior Leadership Team directly.

The person notified will arrange for another senior manager to review the investigation carried out, make any necessary enquiries and make his/her own report to the Headmaster or Bursar as in stage 3 above.

6. If the employee is concerned that a member of the Senior Leadership Team (excluding the Headmaster) is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations, he/she should inform the Headmaster, who will arrange to review the investigation.

Any approach to the Headmaster will be treated with the strictest confidence and the employee's identity will not be disclosed without his/her prior consent.

7. If the employee is concerned that the Headmaster is involved of wrongdoing or has failed to make a proper investigation, he/she should inform the Chair of Governors (Anthony Fobel on 020 7722 1700 or email [office@hallschool.co.uk](mailto:office@hallschool.co.uk)).
8. If on conclusion of stages 1 - 7 the employee reasonably believes that the appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:
- the Department for Children, Schools and Families;
  - HM Revenue & Customs;
  - the Financial Services Authority;
  - the Office of Fair Trading;
  - the Health and Safety Executive;
  - the Environment Agency.

## Appendix 1

At the date of review the Senior Leadership Team consists:

- Headmaster
- Deputy Headmaster – Pastoral
- Deputy Headmaster – Learning and Teaching
- Head of Middle School
- Head of Junior School
- Deputy Head of Junior School
- Finance Director and Clerk to the Governors